

State Water Resources Control Board

May 16, 2017

(Via email and Certified Mail)
CERTIFIED MAIL
NO. 7015 1520 0001 8017 0422

Mr. Justin Drinkwater
Airport Operations Supervisor
Livermore Municipal Airport
680 Terminal Circle
Livermore, California 94551
jrdrinkwater@cityoflivermore.net

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT LIVERMORE MUNICIPAL AIRPORT, 680 TERMINAL CIRCLE,
LIVERMORE**

Dear Mr. Drinkwater:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 28, 2017, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Operating Permit – The permit to operate was not available at the time of inspection.	All	April 28, 2017	Ongoing	H&SC 25284(a)
2	Failure to Maintain UST Monitoring System – The monitoring panel has been in alarm status and noted on designated operator (DO) monthly reports since May 20, 2016, for no vacuum monitoring.	All	May 20, 2016	Ongoing	H&SC 25290.1(d); 23 CCR 2630(d)
3	Failure to Perform Annual Spill Containment Testing – The tanks were installed on February 2, 2006, and have not had a spill containment test conducted.	All	February 2, 2006	Ongoing	H&SC 25284.2

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Maintain Tank Information (Form B) – The tank 1 information page in CERS needs to be updated because it is not using a ball float for overfill prevention. The tank 2 information page in CERS needs to be updated because it does not list the under dispenser containment (UDC). Two UDCs were observed at the time of inspection and only one is listed.	Tank 1 and 2	April 28, 2017	Ongoing	23 CCR 2711(a)
5	Failure to Maintain Monitoring Plan – Tank 1 monitoring plan needs to be updated to include an automatic tank gauge (ATG) since the ball float is not able to operate correctly. Tank 2 monitoring plan needs to include a sensor in the UDC monitoring section because there is still product in the piping and the sensor is still used for monitoring this section of piping.	Tank 1 and 2	April 28, 2017	Ongoing	23 CCR 2632(d)(1), 2711(a)(9)
6	Tampering with Leak Detection Equipment – There was seven inches of liquid in both UDCs and the sensors in both UDCs were raised to avoid going into alarm.	Tank 2 and 3	April 28, 2017	Ongoing	H&SC 25299(a)(9)
7	Failure to Maintain Maintenance Records Onsite – The records for the removal of the two dispensers were not available at the time of inspection.	Tank 2 and 3	April 28, 2017	Ongoing	H&SC 25293; 23 CCR 2712(b)
8	Failure to Construct the UST with a Continuous Monitoring System – The USTs were installed on February 2, 2006, and the interstitial space of the tanks are required to be maintained under constant vacuum or pressure.	All	February 2, 2006	Ongoing	H&SC 25290.1(d) and (e)
9	Failure to Monitor Product Piping – The sensors in sumps 7 and 9 are unable to detect a leak at the earliest opportunity because they are not in a vertical position and the vacuum monitoring for piping is in alarm and not operational.	Tank 1	April 28, 2017	Ongoing	23 CCR 2630(d)

No.	Violation	Tank	Start Date	Stop Date	Regulation
10	Failure to Monitor Product Piping – The sensors in sumps 4 and 6 are unable to detect a leak at the earliest opportunity because they are not in a vertical position and the vacuum monitoring for piping is in alarm and not operational.	Tank 2	April 28, 2017	Ongoing	23 CCR 2630(d)
11	Failure to Monitor Product Piping – The sensors in sumps 1 and 3 are unable to detect a leak at the earliest opportunity because they are not in a vertical position and the vacuum monitoring for piping is in alarm and not operational.	Tank 3	April 28, 2017	Ongoing	23 CCR 2630(d)
12	Failure to Install Line Leak Detector (LLD) – There are no LLDs installed on the jet fuel and aviation gas pressurized piping systems.	Tank 1 and 3	April 28, 2017	Ongoing	H&SC 25290.1(h); 23 CCR 2636(f)(2)
13	Failure to Perform Annual LLD Testing – The LLD was not tested during the monitoring certification conducted on December 2, 2016. The last LLD test was conducted on August 25, 2015.	Tank 2	September 1, 2016	Ongoing	23 CCR 2638
14	Failure to Perform Annual Monitoring Certification – The previous monitoring certification was conducted on August 25, 2015. The next monitoring certification was due on August 25, 2016, but was not conducted until December 2, 2016.	All	September 1, 2016	December 2, 2016	23 CCR 2638
15	Failure to Perform Annual Monitoring Certification – The S-6, S-9, and S-10 sensors and the ATGs were not tested during the monitoring certification conducted on December 2, 2016.	All	September 1, 2016	Ongoing	23 CCR 2638
16	Failure to Perform DO Inspections – The previous monthly DO inspection was conducted on July 15, 2016. The next monthly DO inspection was due on or before August 31, 2016, but was not conducted until December 2, 2016.	All	September 1, 2016	December 2, 2016	23 CCR 2715(c)

No.	Violation	Tank	Start Date	Stop Date	Regulation
17	Failure to Meet DO Inspection Requirements – The DO is required to check that each alarm condition was documented and responded to appropriately. For each monthly DO inspection report since May 20, 2016, the DO documents alarms, but does not address that each alarm was responded to appropriately.	All	May 20, 2016	Ongoing	23 CCR 2715(c)
18	Failure to Maintain Overfill Prevention – Sump 8 has piping that is not capped off. This prevents the ball float from operating correctly, therefore an ATG must be used to meet the requirements of overfill prevention.	Tank 1	April 28, 2017	Ongoing	23 CCR 2635(b)(2)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Livermore-Pleasanton Fire Department within sixty (60) days from the date of this letter. Have your DO make specific notations in the next monthly DO report indicating the ongoing violations have been corrected. The monthly DO report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
Office of Enforcement
State Water Resources Control Board
801 K Street, Suite 2300
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

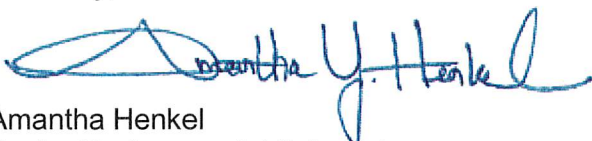
Local CUPA

Ms. Eumy Hung
Hazardous Materials Inspector
Livermore-Pleasanton Fire Department
3560 Nevada Street
Pleasanton, California 94566
ehung@lpfire.org

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: See next page.

cc: *(via email only)*

Ms. Danielle Stefani
Assistant Fire Marshall
Livermore-Pleasanton Fire Department
dstefani@lpfire.org

Ms. Eumy Hung
Hazardous Materials Inspector
Livermore-Pleasanton Fire Department
ehung@lpfire.org